

**IN THE UNITED STATES COURT FO APPEALS
FOR THE EIGHTH CIRCIUT**

DAVID STEBBINS

PLAINTIFF

VS

CASE NO. 13-2548

LEGAL AID OF ARKANSAS

DEFENDANTS

**MOTION FOR STAY OF PROCEEDINGS OR IN THE ALTERNATIVE
FOR EXTENSION OF TIME TO FILE**

Comes now, *pro se* Appellant David Stebbins, who hereby submits the following Motion for Stay of Proceedings or in the Alternative, for an extension of time to file his briefing.

Motion for Stay of Proceedings

1. New evidence has recently surfaced which lends further credence to Appellant's claim that the Magistrate Judge was biased against Appellant.
 2. Appellant has filed another Motion to Disqualify Magistrate Judge in Case No. 12-3022 in the U.S. District Court for the Western District of Arkansas. This motion was mailed earlier today (on August 20, 2013), and should arrive there tomorrow (August 21, 2013).
 3. When the Court issues an appropriate ruling on the motion, it could either...
 - (a) ... be appealed pursuant to Fed. R. App. P. 5 (if it is denied) and that appeal could be merged with this case, or
 - (b) ... be used as evidence to support a reversal in this case (if it is granted).
 4. Either way, it would probably be a good idea to stay these proceedings until that motion is resolved.
 5. Additionally, Case Nos. 13-2687 and 13-2689 are currently pending in this court.
- Whether or not Appellant comes out victorious in those appeals will greatly influence his ability to succeed on this appeal, even if you do not consider the motion that is currently being filed in

the District Court. A stay of proceedings is warranted just on that alone.

Motion for Extension

6. In the event that a stay of proceedings is denied, Appellant still needs additional time to prepare his Brief. The recent developments in the District Court which required Appellant's immediate attention, as well as several developments in Plaintiff's *personal* life, have cut into the time that Plaintiff was expecting to spend on preparing his Briefing in this case. A stay of three weeks should be sufficient to give Plaintiff enough time to prepare his brief, barring further interruptions.

7. A stay of proceedings is preferable to this extension, however.

Conclusion

8. Appellees should suffer no additional prejudice from this extension that the case length of the case itself has not already caused.

9. Wherefore, premises considered, Appellant requests that at least one of these motions be granted.

/s/ David Stebbins
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